

EXHIBIT 1

INTRODUCTION

Respondent Marco Polo Cortes was an unsuccessful candidate for city council for the City of Chula Vista during the March 7, 2000 election. Cortes 2000 was his controlled committee. Mr. Cortes was the designated treasurer for the Committee.

For purposes of this Stipulation, the violations of the Political Reform Act (the "Act")¹ are as follows:

Count 1: Failure to timely file a second pre-election statement by February 24, 2000, in violation of Government Code section 84200.5.

Respondents: Marco Polo Cortes and Cortes 2000.

SUMMARY OF THE LAW

COUNT 1

Section 84200.5 of the Act requires that elected officers, candidates, and committees file pre-election statements in accordance with Section 84200.8. This provision requires that a first pre-election statement be filed no later than 40 days before the election for the period ending 45 days before the election, and that a second pre-election statement be filed no later than 12 days before the election, for the period ending 17 days before the election.

SUMMARY OF THE FACTS

COUNT 1

Mr. Cortes was a candidate for City Council during the March 7, 2000 City election in Chula Vista. He and his committee timely filed a first pre-election statement on January 27, 2000, for the period covering January 1, 2000 through January 22, 2000. Thereafter, Respondents were notified that they would need to file a second pre-election statement on or before February 24, 2000, for the period covering January 23, 2000 through February 19, 2000. Respondents did not file the second pre-election statement by the February 24, 2000 due date.

On February 29, 2000, the City Clerk's office called Mr. Cortes, and sent a written notice that this statement had not been received. The matter was referred to the Fair Political Practices Commission on March 7, 2000. On March 8, 2000, the day after the election, Respondents filed the overdue statement and paid the late fees to the local filing officer. The overdue statement disclosed

¹The Political Reform Act is contained in Government Code Sections 81000 through 91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

that respondents had received contributions of \$4,655 and made expenditures of \$5,828.52.

CONCLUSION

Mr. Cortes is currently a planning commissioner. He filed his semi-annual statement due July 31, 2000 timely.

This matter consists of one count, which carries a maximum possible administrative fine of two thousand dollars (\$2,000). The facts of the case justify imposition of the agreed upon fine of seven hundred and fifty dollars (\$750.00).